

Minutes of Land Use, Parks and Environment (LUPE) Committee
Tuesday, December 9, 2014

Chair Jaske called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

Committee Present: Supervisors Eric Highum, Pauline Jaske, Keith Hammitt, Jennifer Grant and Jim Batzko. **Absent:** Bill Mitchell and Tom Schellinger.

Also Present: Legislative Policy Advisor Sarah Spaeth, Administrative Specialist Karen Phillips, Planning and Zoning Manager Jason Fruth, Park System Manager Duane Grimm and Attorney Kim Haines.

Approve Minutes of November 18, 2014

MOTION: Hammitt moved, second by Batzko to approve the minutes of November 18, 2014. Motion carried 5-0.

Correspondence

- Letter from WI DNR regarding support of a land acquisition in the Town of Ottawa by the Waukesha County Land Conservancy.
- Letter from Duane Grimm to Daniel Kaemmerer of WI DNR in response to the DNR's letter about Town of Ottawa acquisition by Waukesha County Land Conservancy.
- Public notice of an air pollution permit application review for A&A Manufacturing Co. Inc.

Executive Committee Report of November 25, 2014

Jaske stated that the six appointments approved at the Executive meeting were confirmed at the County Board meeting on November 25th.

Legislative Update

Spaeth reported that the process of legislative committee assignments is underway in Madison. Dale Kooyenga, Leah Vukmir and Alberta Darling, each representing portions of Waukesha County, were appointed to the Joint Finance Committee.

Future Meeting Date

- January 20, 2015

Ordinance 169-O-079: Amend The District Zoning Map Of The Town Of Eagle Zoning Ordinance By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 23, T5N, R17E, Town Of Eagle, Waukesha County, Wisconsin, From The C-1 Conservancy District To The R-1 Residential District (ZT-1801)

Fruth discussed this ordinance which will rezone a portion of a 2.3 acre property that is subject to the Town of Eagle Zoning Ordinance. The proposed zoning would change from the C-1 Conservancy District to the R-1 Residential District in order to match the zoning for the balance of the property. Wetlands have been determined to be absent from the site and there is no mapped floodplain in this area.

Hammitt expressed concerns about possible flooding issues for future homes built in on this site. Fruth stated the terrain is such that flooding is not a concern, which he further explained. The proposed rezone more accurately represents site conditions and will allow the property owner to more easily sell or develop the parcel. Planning and zoning staff recommends approval of the requested rezoning.

MOTION: Grant moved, second by Highum to approve Ordinance 169-O-079. Motion carried 5-0.

Ordinance 169-O-080: Amend the Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Delafield By Conditionally Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 23 And Part Of The S ½ Of Section 24, T7N, R18E, Town Of Delafield, Waukesha County, Wisconsin, From The A-1 Agricultural District To The B-P Mixed Use Business Park District (SZ-1798)

Fruth discussed this ordinance which will rezone the areas of a 45.5 acre property in the Town of Delafield to the B-P Mixed Use Business Park District to allow for the proposed construction of a new orthopedic specialty clinic that will be part of a larger business park development. Background and history of property's zoning was reviewed. Planning and zoning staff recommends approval of the rezone request, subject to the conditions as outlined in the ordinance.

Highum asked about the status of existing driveways onsite. Fruth stated the proposed plan includes use of the existing driveways but some modification may be necessary.

MOTION: Highum moved, second by Grant to approve Ordinance 169-O-080. Motion carried 5-0.

Ordinance 169-O-081: Amend The Town Of Vernon District Zoning Map Of The Waukesha County Zoning Code By Revising The Previously Imposed B-3 General Business District Conditions Of Approval. The Rezoning Pertains To Multiple Properties Fronting Upon Enterprise Drive, Located In Part Of The SW ¼ Of Section 1, T5N, R19E, Town Of Vernon (CZ-0972D)

Fruth pointed out the location of the 11 affected properties on an aerial view map. The proposed request is to amend the conditions of the existing conditional B-3 General Business District zoning. The subject properties located along Enterprise Drive are mostly light industrial and limited retail that operate under a conditional B-3 zoning. Fruth explained the history of the properties and stated over time there have been changes made to the conditions of the zoning. The essence of the zoning would remain the same but the amended conditions would allow more flexibility for businesses with regard to specific operational issues such as outdoor storage and extended hours of operation.

MOTION: Hammitt moved, second by Batzko to approve Ordinance 169-O-081. Motion carried 5-0.

Ordinance 169-O-082: Approve Easement To St. Anthony Congregation For Two Driveways And Sanitary Sewer Lateral Across Waukesha County Lake Country Trail

Grimm discussed this ordinance which provides St. Anthony Congregation with an easement for two driveways and a sanitary sewer lateral. He displayed an aerial view map of the property and pointed out the location of the proposed easement. He explained that the County purchased 0.271 acres from St. Anthony Congregation in July of 1996 for the Lake Country Trail and at the time of purchase the property contained two driveways and a buried sanitary sewer lateral. When the congregation recently contacted Waukesha County about reconstructing the driveways it was discovered that no easement existed. The proposed easement will correct the previous purchase agreement between St. Anthony Congregation and Waukesha County. As the easement was inadvertently omitted at the time of the purchase, the normal easement fee of \$120.00 will be waived.

In response to Highum's question, Grimm stated both Waukesha County and St. Anthony Congregation overlooked including an easement in the 1996 purchase agreement. It was not discovered until the congregation's recent request relative to driveway reconstruction was received; subsequent research revealed the oversight.

Jaske inquired about the number of driveways allowed on the property. Grimm pointed out that the driveways on CTH SS are approved by Waukesha County Public Works. The Town of Delafield is

responsible for approving the driveways on Oakton Road. Grimm further provided dimensions of the requested easement over the Lake Country Trail.

MOTION: Hammitt moved, second by Grant to approve Ordinance 169-O-082. Motion carried 5-0.

Ordinance 169-O-083: Approve Wright Property Acquisition And Donation

Grimm noted a correction to the tax key number on lines 9 and 31 of the ordinance; the correct tax key number is WAKT1401999.

Grimm discussed this ordinance which allows the purchase of 69.5 acres in the Town of Waukesha from William and Susan Wright and the Wright's donation of an additional 3.65 acres of land to Waukesha County. These properties are included in Waukesha County's Park and Open Space Plan for the Mill Creek and Pebble Brook Greenways.

In response to Grant's question, Grimm reviewed the history of the property, which was formerly a part of Inavale Farm. Much of the land was sold to developers over the years, but the family still owns some remnants of land. Purchase price and associated costs as outlined in the ordinance were reviewed. Tarmann funds will be used for the land acquisition; however, the County may be eligible to receive a stewardship grant reimbursement in the future for approximately 50% of the land purchase price to partially offset the cost.

MOTION: Hammitt moved, second by Batzko to approve Ordinance 169-O-083. Motion carried 5-0.

Future Agenda Item

- Park and Open Space Plan Update

MOTION: Batzko moved, second by Hammitt to adjourn the meeting at 9:26 a.m. Motion carried 5-0.

Respectfully submitted,

Jennifer Grant
Secretary